IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 14762 of 2007
Date of decision: 20.9.2007

Jaswinder Singh ...Petitioner

Versus

Financial Commissioner Appeals and others ...Respondents.

CORAM:- HON'BLE MR. JUSTICE K.S.GAREWAL
HON'BLE MR. JUSTICE R.S. MADAN

Present: Mr. M. L. Saini, Advocate,
for the petitioner.

K.S.GAREWAL, J.

Jaswinder Singh has filed this petition pleading that the private respondents Dhan Kaur and others had sought partition of 43 kanals of land situated in Burj Hari by filing an application before the Assistant Collector Ist Grade, Mansa. The Assistant Collector Ist Grade, Mansa, heard the parties, disregarded their objections and held that question of title was not involved. Naksha Be was prepared on January 7, 1998. Subsequent to that the Assistant Collector sanctioned naksha jeem on February 23, 1998 and sanad takseem was also finalized.

Jaswinder Singh filed an appeal before the Collector, Mansa, which was dismissed on September 29, 1998 holding that after sanad takseem had been prepared no appeal or revision was maintainable.

Jaswinder Singh went up in further revision before the Commissioner, Faridkot Division, Faridkot, which was also dismissed on January 19, 2000. Lastly, Jaswinder Singh's petition before the Financial Commissioner was dismissed on November 24, 2005.

It is now well settled that once sanad takseem has been prepared, the only course open to the petitioner is to file a petition under Articles 226/227 of the Constitution of India. The petitioner has waited for 9 years to approach this Court. In fact, he has filed this petition after a gap of nearly 1 year and 10 months from the date when his petition was dismissed by the Financial Commissioner.

We do not find any merit in this petition because as the revenue courts have dealt with the case in correct perspective. Consequently, this petition is dismissed in limine.

(K.S. GAREWAL)
JUDGE

20.9.2007 **(R.S. MADAN)**
prem **JUDGE**